IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C).No. 31264 of 2006(V)

PETITIONER:

T.P.JOSEPH, GOVT. CONTRACTOR,
THOTTATHIL HOUSE, NADAKAVU P.O.,
UDAYAMPEROOR, ERNAKULAM DISTRICT.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SRI.K.I.SAGEER IBRAHIM

RESPONDENTS:

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1. STATE OF KERALA, REP. BY ITS
SECRETARY TO GOVERNMENT, DEPARTMENT OF FINANCE,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

2. THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF PUBLIC WORKS, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM.

3. THE ASSISTANT EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT, ROADS SUB DIVISION,
ERNAKULAM.

4. THE EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT, ROADS DIVISION,
ERNAKULAM.

BY ADV. SRI. K.V. MANOJ, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE DETAILS OF WORKS EXECUTED BY THE PETITIONER.

EXT.P2: TRUE COPY OF THE REPRESENTATION DATED 21.11.2006 SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT.

EXT.P3: TRUE COPY OF THE REPRESENTATION DATED 22.11.2006 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.

EXT.P4: TRUE COPY OF THE REPRESENTATION DATED 22.11.2006 SUBMITTED BY THE PETITIONER BEFORE THE 1ST AND 2ND RESPONDENTS.

/True Copy/

P.A to Judge.

KURIAN JOSEPH , J

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W.P.(C) NO. 31264 OF 2006

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Dated this the 25th day of July, 2007.

JUDGMENT

The writ petition is filed with the following prayer

i. issue a writ of mandamus or any other appropriate writ order or direction commanding the 3rd respondent to release the entire payments due to the petitioner for which the bills were registered and letter of credit was sanctioned by the 1st and 2nd respondents, without limiting the payments to the estimate PAC of the work.

ii. issue a writ of mandamus or any other appropriate writ, order or direction commanding the respondents to consider and dispose of Ext.P2,P3 and P4 representations, forthwith;

Since the petitioner has sought for a writ of mandamus, there will be a direction to the 1st respondent to consider Ext.P4 with notice to the petitioner and take appropriate action, in accordance with law, within a period of two months from the date of production of a copy of this judgment.

The writ petition is disposed of accordingly.

KURIAN JOSEPH, JUDGE.

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